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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 SONOS, INC.,

17 Plaintiff,

18 vs.

19 GOOGLE LLC,

20 Defendant.

CASE NO. 3:20-cv-06754-WHA

Related to CASE NO. 3:21-cv-07559-WHA

**DECLARATION OF JOCELYN MA IN
SUPPORT OF SONOS, INC.'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED (DKT. 593)**

I, Jocelyn Ma, declare and state as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP representing Google LLC (“Google”) in this matter. I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.

2. I make this declaration in support of Sonos, Inc.’s (“Sonos”) Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed (“Administrative Motion”) (Dkt. 593) filed in connection with Sonos’s Motion *in Limine* No. 2 (“Motion *in Limine* No. 2”) (Dkt. 594). If called as a witness, I could and would testify competently to the information contained herein.

3. Google seeks an order sealing the materials as listed below:

Document	Portions Sonos Sought to Be Filed Under Seal	Portions Google Seeks to Be Filed Under Seal	Designating Party
Exhibit A to the Declaration of Joseph Kolker in Support of Motion <i>in Limine</i> No. 2 (“Exhibit A”)	Entire document	None	Google
Exhibit B to the Declaration of Joseph Kolker in Support of Motion <i>in Limine</i> No. 2 (“Exhibit B”)	Entire document	None	Google
Exhibit 1 to the Declaration of Jason Williams in Support of Google’s Response to Motion <i>in Limine</i> No. 2 (“Exhibit 1”)	Entire document	Entire document	Google
Exhibit 6 to the Declaration of Jason Williams in Support of Google’s Response to Motion <i>in Limine</i> No. 2 (“Exhibit 6”)	Entire document	Portions outlined red boxes	Google
Exhibit 7 to the Declaration of Jason Williams in Support of Google’s Response to Motion <i>in Limine</i>	Entire document	Portions outlined in red boxes	Google

No. 2 (“Exhibit 7”)			
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4. I understand that this Court has analyzed sealing requests in connection with motions *in limine* pursuant to the “good cause” standard for non-dispositive motions. *See, e.g., Gearsources Holdings, LLC v. Google LLC*, No. 18-CV-03812-HSG, 2021 WL 1123630, at *2 (N.D. Cal. Feb. 24, 2021) (“Because Defendant’s motion *in limine* is not a dispositive motion, the Court applies the lower good cause standard.”); *Racies v. Quincy Bioscience, LLC*, No. 15-CV-00292-HSG, 2019 WL 8438448, at *1 (N.D. Cal. Dec. 16, 2019) (“Because the parties move to file documents related to their motions *in limine*, the Court will apply the lower good cause standard.”); *TVIIM, LLC v. McAfee, Inc.*, No. 13-CV-04545-HSG, 2015 WL 3776424, at *2 (N.D. Cal. June 16, 2015) (“Because motions *in limine* are nondispositive motions, the Court applies the ‘good cause’ standard to the pending motions to seal.”). I also understand that material that is confidential and could harm a litigant’s competitive standing if disclosed may be sealed under the good cause standard. *See, e.g., Skillz Platform Inc. v. AviaGames Inc.*, No. 21-CV-02436-BLF, 2022 WL 875654, at *2 (N.D. Cal. Mar. 24, 2022) (finding “good cause to file the documents and portions of documents at issue under seal given the sensitive financial and business information they contain”); *Dugan v. Lloyds TSB Bank, PLC*, No. 12-CV-02549-WHA NJV, 2013 WL 1435223, at *2 (N.D. Cal. Apr. 9, 2013) (“There may be ‘good cause’ to seal records that are privileged, contain trade secrets, contain confidential research, development or commercial information, or if disclosure of the information might harm a litigant’s competitive standing.”).

5. The portions of Exhibit 6 outlined in red boxes contain confidential information regarding Google’s highly sensitive financial and product revenue data, internal lifetime value analyses, and costs information, as well as figures from which a competitor could deduce Google’s highly sensitive financial and product revenue data. Public disclosure of this information would harm Google’s competitive standing and create a risk of injury by providing competitors with access to information that Google does not have similar access to about their competitors, allowing them to gain a competitive advantage in the marketplace. If such information were made public, I understand that Google’s competitive standing would be significantly harmed. Google has therefore designated this

